



Illinois
Department of
Natural Resources

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Rod R. Blagojevich, Governor

April 11, 2003

Water Docket
Environmental Protection Agency
Mailcode 4101T
1200 Pennsylvania Ave., NW
Washington, DC 20460

Attention Docket ID No. OW-2002-0050

To: The Honorable R. L. Brownlee, Acting Assistant Secretary of the Army (Civil Works) and Christine Todd Whitman, Administrator, United States Environmental Protection Agency:

The Illinois Department of Natural Resources objects to the U. S. Environmental Protection Agency's and Army Corps of Engineer's proposed narrowing of the definition for "waters of the U.S." as identified in the Federal Clean Water Act. This action will remove Federal protection over many water areas that are important to our watersheds, rivers, and ground water renewal sites. These tributaries, wetlands, and non-navigable streams are vital to the health of Illinois' watersheds, and requires the partnership of state and federal protection to prevent pollution, and to support the state's efforts to achieve the no net loss of Illinois wetlands or their functional values as stated in the goals of the Illinois Interagency Wetland Policy Act of 1989 [20 ILCS 830 et seq.].

The proposal to exclude isolated wetlands from water quality regulations is based on a Supreme Court decision that has been extended beyond the scope of its ruling. Not only would up to 60% of national wetlands be threatened by such a change in policy, the wetlands lost would be, in many cases, the most pristine wetlands left in our nation. Most navigable waters in the U.S. are navigable because we have dammed, dredged, or otherwise altered such waterways. If we destroy non-navigable streams (tributaries), we will soon imperil the larger waterways as well.

It is important to look at connectivity at a regional level, taking into account specific characteristics of each watershed. It is specifically important to consider biological connectivity as well as hydrological connectivity; even wetlands that are not joined by any sort of waterway can provide stopover places for migratory birds. Interconnectivity goes beyond the borders of states when considering wildlife benefits. According to the U.S. Fish and Wildlife Service, 70 percent of the waterfowl production in the pothole region is in North and South Dakota. Hunting of these waterfowl is a major recreational business in Illinois.

In closing, I strongly urge you to discontinue this effort to redefine "waters of the United States". The proposal as written is policy driven, and not based in sound science. The proposal as written would undermine the State of Illinois "no net loss" goals, adversely impact Illinois' important wetland resources and degrade our recreational economy.

Sincerely,

Joel Brunsvold
Director
Illinois Department of Natural Resources

cc: Tom Flattery
Tim Hickmann
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